

Amendment No. 1 to HB2486

Harmon  
Signature of Sponsor

**AMEND Senate Bill No. 2699**

**House Bill No. 2486\***

By deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 55-9-405, is amended by deleting subsections (d) and (e) in their entirety and by substituting instead the following language:

(d) Except as provided in subsection (e), from one half ( $\frac{1}{2}$ ) hour before sunset to one half ( $\frac{1}{2}$ ) hour after sunrise and at all other times when lights are required to be displayed, there shall be attached to the rearmost extremity of any load that projects four feet (4') or more beyond the rear of the body of the motor vehicle, or at any tailboard or tailgate so projecting, or to the rearmost extremity of any load, carried on a pole trailer, at least one (1) red lamp, securely fastened thereto, which shall be visible from a distance of five hundred feet (500') to the sides and rear under normal atmospheric conditions. At all other times a red flag of cloth, synthetic or man-made material shall be so displayed.

(e) From one half ( $\frac{1}{2}$ ) hour before sunset to one half ( $\frac{1}{2}$ ) hour after sunrise and at all other times when lights are required to be displayed, any motor vehicle or trailer transporting a load of logs, long pulpwood, poles, or posts that projects four feet (4') or more beyond the rear of the body or bed of such vehicle, when the vehicle is operated on any highway or parked on the shoulder or immediately adjacent to the traveled portions of such highway, shall have securely affixed as close as practical to the end of any such projecting load either:

(1) One (1) amber strobe-type lamp equipped with a multidirectional type lens so mounted as to be visible from the rear and both sides of the projecting load. If the mounting of one (1) amber strobe lamp cannot be accomplished so

that it is visible from the rear and both sides of the projecting load, multiple amber strobe lights shall be utilized so as to meet the visibility requirements of this subdivision. The amber strobe lamp shall flash at a rate of at least sixty (60) flashes per minute and shall be plainly visible from a distance of at least five hundred feet (500') to the rear and sides at a radius of one hundred eighty degrees (180°) of the projecting load. At all other times a red flag of cloth, synthetic or man-made material shall be so displayed; or

(2) One (1) amber light-emitting diode (LED) light equipped with a multidirectional type lens, mounted so as to be visible from the rear and from both sides of the projecting load. If the mounting of one (1) amber light-emitting diode (LED) light cannot be accomplished so that it is visible from the rear and from both sides of the projecting load, multiple amber light-emitting diode (LED) lights shall be utilized so as to meet the visibility requirements of this subdivision. The amber light-emitting diode (LED) light shall flash at a rate of at least sixty (60) flashes per minute and shall be plainly visible from a distance of at least five hundred feet (500') from the rear and sides at a radius of one hundred eighty degrees (180°) of the projecting load. Any light-emitting diode (LED) light shall be constructed of durable, weather resistant material and may be powered by the vehicle's electrical system or by an independent battery system, or both. If the light-emitting diode (LED) light is powered by an independent battery system, the driver of the vehicle shall have in his or her immediate possession charged, spare batteries for use in case of battery failure. Any solid state light-emitting diode (LED) lighting that consists of multiple light-emitting diode (LED) lights shall not have less than eighty-five percent (85%) of the light-emitting diode (LED) lights in operable condition. At all other times a red flag of cloth, synthetic or man-made material shall be so displayed.

(f) A violation of this section is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.